



RECEIVED MAR 18 2004

EXPERT REPORT
OF
DAVID A. BERINS

IN THE MATTER OF
BARBARA LODER HILDEBRANDT
v.
HYATT HOTELS CORPORATION, *et al*

February 29, 2004

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ATTACHMENT 2

**EXPERT REPORT OF
DAVID A. BERINS**

I, David A. Berins, have been retained by the firm of Fisher & Phillips, LLP in the matter Barbara Loder Hildebrandt, Plaintiff, v. Hyatt Hotels Corporation, *et al.*, Defendants, on behalf of the Defendants.

Assignment

I have been asked to review the Plaintiff's claims in the captioned matter and to provide expert testimony on the state of the lodging market in the United States leading up to and following the events of September 11, 2001, and the appropriateness of Hyatt's response to those market realities.

Limitations on My Expert Report

Once I receive the reports of Plaintiff's experts, and their deposition testimony including their opinions as to the issues covered by my report, I will be able to review that testimony and reports and express my opinions thereon. Therefore, I reserve the right to supplement, amend, and modify this report if reports are produced by Plaintiff's experts on the matters covered by this report. Furthermore, I also reserve the right to supplement, amend and modify this report if depositions, documents produced by either party or other new facts not previously available to me cause me to reach conclusions or develop opinions in addition to or different from those set forth herein.

Methodology

My work on this matter was composed of a variety of tasks, including:

- Review of pleadings and documents in the matter;
- Assembly and review of data on the performance of the U.S. hotel market, airline industry, and convention market;
- Review of trade articles, press releases and similar information relating to the hotel and tourism industries during the relevant period;
- Review of data on bookings and cancellations at Hyatt Hotels during the period leading up to and after 9/11;
- Formation of conclusions and expert opinions.